

REMARKS

The Office Action of January 29, 2003 has been received and reviewed. Claims 1-5 and 20-24 are currently pending in the application and stand rejected. Claims 1 and 22-24 have been amended and claims 2-5 have been canceled as set forth herein. All amendments and cancellations are made without prejudice or disclaimer. Reconsideration is respectfully requested.

Rejections under 35 U.S.C. § 112

Claims 1-5 and 20-24 stand rejected as assertedly lacking compliance with 35 U.S.C. § 112. Claims 2-5 have been canceled rendering the rejections thereof moot. Applicants respectfully traverse the rejections.

It was asserted that the specification does not reasonably provide enablement or written description for any peptide “having” the sequence of SEQ ID NO: 1, that the term “having” in claims 1 and 2 was indefinite, and that the phrase “pharmaceutical formulation” of claims 5, 23 and 24 was not enabled by the specification. Although applicants do not agree that claims 1-5 and 20-24 lack compliance with the requirements of 35 U.S.C. § 112, claims 1 and 22-24 have been amended and claims 2-5 have been canceled as set forth herein to expedite prosecution.

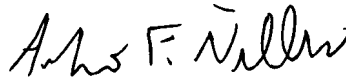
Claim 1 has been amended to recite “A peptide consisting of the sequence VLXDDLLEA (SEQ ID NO:1), wherein X represents a histidine or an arginine residue” and the term “pharmaceutical” has been removed from claims 23 and 24. Accordingly, claims 1 and 20-24 should comply with the requirements 35 U.S.C. § 112.

Reconsideration and withdrawal of the rejections of claims 1 and 20-24 are requested.

CONCLUSION

In view of the amendments and remarks presented herein, applicants respectfully submit that the claims define patentable subject matter. If questions should remain after consideration of the foregoing, the Examiner is kindly requested to contact applicants' attorney at the address or telephone number given herein.

Respectfully submitted,



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